

HOUSE BILL REPORT

SB 5482

As Reported by House Committee On:
State Government

Title: An act relating to the disclosure of global positioning system data by law enforcement officers.

Brief Description: Addressing the disclosure of global positioning system data by law enforcement officers.

Sponsors: Senators Roach and Liias.

Brief History:

Committee Activity:

State Government: 3/18/15, 4/1/15 [DP].

Brief Summary of Bill

- Exempts from public disclosure Global Positioning System data indicating the residence of a criminal justice agency worker.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass. Signed by 7 members: Representatives S. Hunt, Chair; Bergquist, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Appleton, Gregory and Hawkins.

Staff: Sean Flynn (786-7124).

Background:

The Public Records Act (PRA) requires state and local agencies to make their written records available to the public for inspection and copying upon request, unless the information fits into one of the various specific exemptions. The stated policy of the PRA favors disclosure and requires narrow application of the listed exemptions.

Personal information maintained in public agency files for employees, appointees, or elected officials is exempt from disclosure to the extent necessary to protect such person's right to

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privacy. The right to privacy under the PRA is violated only if disclosure would be highly offensive to the reasonable person, and is not of legitimate public concern.

Another exemption applies to certain employment and licensing information, including personal information of public agency employees in personnel or employment records, or volunteer rosters. The employee or volunteer personal information includes: residential addresses; telephone numbers; cellular phone numbers; electronic mail addresses; social security numbers; driver's license and Identocard numbers; emergency contact information; and similar personal information of an employee's and volunteer's dependents. Photographs and birthdates in personnel files of criminal justice agency workers are also exempt from disclosure, except to the news media.

Certain personal information related to investigative and law enforcement records also is exempt from disclosure, including the identity of a state employee or officer who reports in good faith on improper governmental action to a public official. Another exemption provides for the protection of investigative records related to professional disciplinary investigation in order to promote effective law enforcement or personal privacy interests.

Summary of Bill:

The Global Positioning System (GPS) data is exempt from public disclosure if it would indicate the residential location of an employee or worker of a criminal justice agency, including a court, or agency involved in the administration of activities related to criminal offenders or accused persons.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill would protect the GPS tracking information that is used in law enforcement vehicles when officers drive those vehicles to their homes. This will help to protect the safety of law enforcement officers. This simply updates the law in light of new technologies.

(Opposed) None.

Persons Testifying: Rick Jensen, Washington State Patrol Troopers Association; Rowland Thompson, Allied Daily Newspapers; Mike Webb, Officer of the Attorney General; and Rob Huss, Washington State Patrol.

Persons Signed In To Testify But Not Testifying: None.